

jc978  
02/28/20  
U.S. PTO

03-01-02

PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 26]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets ]
5. Oath or Declaration [ Total Pages ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*  
 i.  **DELETION OF INVENTOR(S)**  
     Signed statement attached deleting inventor(s)  
     named in the prior application, see 37 CFR  
     1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)

of prior application No.: 09,256,915

Prior application information:

Examiner Minnifield, N.

Group Art Unit: 1645

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

|   |   |                                   |                             |                              |  |
|---|---|-----------------------------------|-----------------------------|------------------------------|--|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 28503<br><i>(Insert Customer No. or Attach bar code label here)</i> |                                   | <input type="checkbox"/> or | Correspondence address below |  |
| Name  |   |                                   |                             |                              |  |
| Address   |   |                                   |                             |                              |  |
| City  | State   |                                   |                             | Zip Code                     |  |
| Country   | Telephone   |                                   |                             | Fax                          |  |
| Name (Print/Type)   | Susan K. Pocchiari  | Registration No. (Attorney/Agent) |                             | 45,016                       |  |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 740.00)

## Complete if Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | To be assigned     |
| Filing Date          | February 28, 2002  |
| First Named Inventor | Polyakov, I. et al |
| Examiner Name        | Minnifield, N.     |
| Group Art Unit       | 1645               |
| Attorney Docket No.  | 3/400-4-C4         |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-2955

Deposit Account Name Boehringer Ingelheim Corporation

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

 Check  Credit card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Fee Code                          | Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description   | Fee Paid          |
|-----------------------------------|-----------------------|-----------------------|---|-------------------|
| 105                               | 130                   | 205                   | 65 Surcharge - late filing fee or oath  |                   |
| 127                               | 50                    | 227                   | 25 Surcharge - late provisional filing fee or cover sheet                     |                   |
| 139                               | 130                   | 139                   | 130 Non-English specification   |                   |
| 147                               | 2,520                 | 147                   | 2,520 For filing a request for <i>ex parte</i> reexamination                  |                   |
| 112                               | 920*                  | 112                   | 920* Requesting publication of SIR prior to Examiner action                   |                   |
| 113                               | 1,840*                | 113                   | 1,840* Requesting publication of SIR after Examiner action                    |                   |
| 115                               | 110                   | 215                   | 55 Extension for reply within first month                                     |                   |
| 116                               | 400                   | 216                   | 200 Extension for reply within second month                                   |                   |
| 117                               | 920                   | 217                   | 460 Extension for reply within third month                                    |                   |
| 118                               | 1,440                 | 218                   | 720 Extension for reply within fourth month                                   |                   |
| 128                               | 1,960                 | 228                   | 980 Extension for reply within fifth month                                    |                   |
| 119                               | 320                   | 219                   | 160 Notice of Appeal  |                   |
| 120                               | 320                   | 220                   | 160 Filing a brief in support of an appeal                                    |                   |
| 121                               | 280                   | 221                   | 140 Request for oral hearing  |                   |
| 138                               | 1,510                 | 138                   | 1,510 Petition to institute a public use proceeding                           |                   |
| 140                               | 110                   | 240                   | 55 Petition to revive - unavoidable   |                   |
| 141                               | 1,280                 | 241                   | 640 Petition to revive - unintentional  |                   |
| 142                               | 1,280                 | 242                   | 640 Utility issue fee (or reissue)  |                   |
| 143                               | 460                   | 243                   | 230 Design issue fee  |                   |
| 144                               | 620                   | 244                   | 310 Plant issue fee   |                   |
| 122                               | 130                   | 122                   | 130 Petitions to the Commissioner   |                   |
| 123                               | 50                    | 123                   | 50 Processing fee under 37 CFR 1.17(q)  |                   |
| 126                               | 180                   | 126                   | 180 Submission of Information Disclosure Stmt                                 |                   |
| 581                               | 40                    | 581                   | 40 Recording each patent assignment per property (times number of properties) |                   |
| 146                               | 740                   | 246                   | 370 Filing a submission after final rejection (37 CFR § 1.129(a))             |                   |
| 149                               | 740                   | 249                   | 370 For each additional invention to be examined (37 CFR § 1.129(b))          |                   |
| 179                               | 740                   | 279                   | 370 Request for Continued Examination (RCE)                                   |                   |
| 169                               | 900                   | 169                   | 900 Request for expedited examination of a design application                 |                   |
| Other fee (specify) _____         |                       |                       |   |                   |
| *Reduced by Basic Filing Fee Paid |                       |                       |   | SUBTOTAL (3) (\$) |

\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Name (Print/Type) Susan K. Pocchiari

## Complete (if applicable)

Registration No. 45,016 Telephone (203)798-5648

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Estimated time of statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments or suggestions on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.